

PANITCH SCHWARZE BELISARIO & NADEL LLP

Intellectual Property Law

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July 8, 2016

Via EFS

The Honorable Leonard P. Stark
US District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801

Re: Interim Status Report - *Regalo International, LLC v. Munchkin, Inc.*
Civil Action No. 15-cv-1103-LPS-CJB

Dear Judge Stark:

Pursuant to Sec. 15 of the Scheduling Order (D.I. 25), we write to provide an interim status report regarding the nature of the matters in issue and the progress of discovery to date. We represent plaintiff Regalo International, LLC (“Regalo”) and join in this interim status report with defendant Munchkin, Inc. (“Munchkin”).

I. NATURE OF THE MATTERS IN ISSUE

This is a patent infringement action. On November 30, 2015, Regalo filed a Complaint (D.I. 1) alleging Munchkin’s infringement of U.S Patent Nos. 7,137,158; 7,178,184; and 8,555,436 (“Asserted Patents”). On January 20, 2016, Munchkin filed an Answer and Affirmative Defenses (D.I. 9), alleging, *inter alia*, non-infringement and invalidity of the Asserted Patents. The Asserted Patents are directed to bedrails that generally prevent a person from rolling out of bed.

On March 1, 2016, Munchkin filed a Motion to Disqualify Plaintiff’s Counsel (D.I. 13). Briefing on this motion is complete, but oral argument has yet to be scheduled.

II. PROGRESS OF DISCOVERY

Discovery in this matter is ongoing. The parties have exchanged and responded to first sets of written interrogatories and document requests. The parties have also served their respective disclosures regarding Electronically Stored Information. The parties have begun, but not substantially completed, the production of documents. Deposition discovery has not yet begun.

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Honorable Leonard P. Stark
July 8, 2016
Page 2

The parties have exchanged initial sets of Infringement and Invalidity Contentions. Final Infringement and Invalidity Contentions are due November 18, 2016 and December 2, 2016, respectively.

The claim construction process is underway. The parties' Joint Claim Construction Chart (D.I. 51) was filed on June 24, 2016. The parties opening briefs are due July 15, 2016. Responsive briefs are due August 12, 2016. A Markman hearing is scheduled for October 3, 2016.

Opening expert reports are due for exchange on December 16, 2016. Expert discovery has yet to begin.

Pursuant to Secs. 8. b. and 8. a. of the Scheduling Order (D.I. 25), document production shall be substantially complete by October 14, 2016 and fact discovery cut-off is December 16, 2016.

Respectfully submitted,



Dennis J. Butler
DE Bar #5981

cc: All Counsel of Record (via EFS)